

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
GABINO GENAO,

Plaintiff,

-v-

CITY OF NEW YORK; C.O. MARSHA LYNCH; C.O.
DREW WILLIAMS; C.O. ANTHONY MORALES JR.;
CAPT. PHILLIPS; C.O. KRISTINA FORD, RHU DR. HO;
and CAPT. KEISHA LEMON,

Defendants.

CIVIL ACTION NO.: 20 Civ. 6507 (PGG) (SLC)

ORDER OF SERVICE

SARAH L. CAVE, United States Magistrate Judge:

Because pro se Plaintiff Gabino Genao (“Mr. Genao”) has been granted permission to proceed IFP, he is entitled to rely on the Court and the United States Marshals Service (“U.S. Marshals Service”) to effect service. (See ECF No. 6). Walker v. Schult, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); see also 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the U.S. Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

To allow Mr. Genao to effect service on Defendant Dr. Hung-Yi Ho (“Dr. Ho”) through the U.S. Marshals Service, the Clerk of Court is respectfully directed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 Form”) for Dr. Ho. The Clerk of Court is further respectfully directed to issue a summons and deliver to the U.S. Marshals Service all the paperwork necessary for the U.S. Marshals Service to effect service upon Dr. Ho, at the following address:

Dr. Hung-Yi Ho
Risk Management Department
King County Hospital
451 Clarkson Avenue
Brooklyn, New York 11203

If the complaint is not served within 90 days after the date the summons is issued, Mr. Genao should request an extension of time for service. See Meilleur v. Strong, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service).

Accordingly, the Clerk of Court is respectfully directed to (i) complete the USM-285 Form with the address for Dr. Ho and deliver all documents necessary to effect service to the U.S. Marshals Service, and (ii) mail a copy of this Order to Mr. Genao at the address below.

Dated: New York, New York
August 15, 2022

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge

Mail To: Gabino Genao
Inmate No. 22B1480
Attica Correctional Facility
P.O. Box 149
Attica, New York 14011-0149